### BULL PUP FOUND GUILTY.

AT ANY RATE SERGEANT POWELL, WHO SHOT HIM, IS ACQUITTED.

A New Rochelle Jury Ponders the Pamous Case of the Sheeting of Artist Walker's Dog by a Sergeant from Port Slocum Who

New ROCHELLE, N. Y., Jan. 4 .- After an hour and a half of solemnest deliberation to-day the jury in the famous case of Artist T. Dart Walker against Sergeant Powell, U. S. A., found that Powell was not guilty. The complaint against Powell ran to the effect that the soldler on Nov. 24 last did on Leland avenue, near Pelham road, "shoot a certain dog, to wit, a bull terrier, the property of T. Dart Walker, residing in the village of New Rochelle, without fust cause or provocation, with a certain revolver he then and there held in his hand, seriously wounding said animal and causing said animal much suffering and pain thereby,

It may be observed that the beast's grief and mortification for the loss of his voice, which was destroyed by the shot, was not made a part of the action. The place of the trial was the Police Headquarters of New Rochelle, Police Justice Lambden sat behind the Sergeant's desk and a long table was placed before it for counsel. Former Justice Tierney took care of the interests of Artist Walker and the dog, and R. McKinlay Power, once a war correspondent of the Edinburgh, Scotland, Scotsman, defended Sergeant Powell. Outside the rail were six or eight soldiers from Fort Slocum, who had come over with Powerl. Powell himself is a tall, stern-faced man, with side whiskers that grow lown to the lower side of his ears.

Only six talesmen had been summoned. As fast as talesmen were excused or peremptorily challenged a fat policeman went out into the street and grabbed a new talesman. Two hours were consumed in getting a satisfactory jury. The test questions were of a peculiar order. Superintendent Johnson of Residence Park, a Swede, asked by Mr. Power if he were a client of Mr. Tierney, said: 'I was no client about him, but I known him

by ta face of him." Mr. Power was satisfied apparently, but Mr. Tierney was far from satisfaction. "Do you think shooting a dog is as serious a

matter as stealing I" "No, I tank it is not so," said the talesman, Justice Lambden refused to sustain Mr. Tierney's point that the witness had not proper appreciation of the dignity of the law.

"As between the dog and the man," the prosecuting attorney asked, "which do you

"I tank I like ta man more," said Johnson promptly; "a man is petter more'n ta tog; sure." He was excused. So was one Dealin, a butcher, who held most agressively that, law or no law. a man has a right to shoot any dog that scared him Contractor Dougherty was asked whether he believed that he had a right to shoot a dog if he could escape from the beast by running away. He thought long and earnestly.

"I think," he said at last, "If you run away from the dog he is likely to catch you all the sooner. It's better to give him a lift with your

Feet."

He was accepted. It turned out that another talesman had patronized Lawyer Power two You're you of the fruth of what he says in contradiction of what I say! Lawyer Tierney

you convince you of the fruth of what he says in contradiction of what I say! Lawyer Tierney asked him.

"Sure." commented the irrepressible Dougherty in a matter-of-fact tone. "They'll both lie."

Mr. Tierney opened his case by assuring the jury most impressively that this was no "dog case." He was sure they thought too much of themselves to believe that they were asked to sit in judgment in a "dog case." They were to uphold the law, and that the law extended its projection to dumb animals was a glorious attribute of our civilization to which the evident intelligence of the jury was a credit. Lawyer Tierney said that he would show that Powell went half a mile out of his way to shoot a peaceful and inoffensive animal.

A Swedish nurse girl, employed in Artist Walker's family, was the first witness. She spoke no English, and an interpreter was necessary. Powell rode past the dog twice, she said. The second time he wheeled around so close to it that he fell from his wheel. He immediately remounted and went back toward New Rochelle. Ten minutes later he returned on the same road, rote us beside the dog. which had sayed way

remounted and went back toward New Rochelle. Ten minutes later he returned on the same road, rode up beside the dog, which had stayed away from her across the road, and shot it.

At this point the dog itself was introduced. He was a white bull terrier. He was induced to leap upon the lawyer's table. A small scar on his nose was pointed out as the spot where the bullet had entered.

"Is the dog an exhibit i" asked Mr. Power.

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Is the dog an exhibit!" asked Mr. Power, castically. "Do you want it marked for

"Is the dog an exhibit!" asked Mr. Power, sarcastically. "Do you want it marked for identification!"

Lawyer Tierney looked surprised and grieved. "Sergeant Powell," he said with melancholy impressiveness. "has already attended to that."

The dog, which seemed disposed to become friendly with everybody in the room, jumped down from the table and went over to see the jury. "He sniffed at the boots of the foreman of the jury. "Ysh!" exclaimed that worthy and climbed to the seat of his chair. The dog turned one eve to Juryman Dougherty and winked suggestively and wanged his tail.

"Take your dom dog away," growled Dougherty timorously, "or ut will get hurried.

The dog yawned ostentatiously and rejoined his counsel. He was led away to the witness room. The foreman then came down from his perch.

room. The foreman then came down from his perch.

Artist Walker told how he came home on the night after the shooting and found the family standing around the injured dog.

"The dog was sitting up." he said, "with his head hanging down, looking very dejected. His nose was bleeding and there was blood all over his forepaws. He had a bandage around his neck.

"Was he in pain?" asked Lawyer Tierney in a tenderly, sympathetic tone.

"He seemed to be in very great pain," answered the witness with equal carnestness.

Bergeant Powell put his hand over his face to hide an exultant grin. Some of the spectators snickered.

hide an exultant grin. Some of the spectators snickered.

"Your Honor." thundered the lawyer for the prosecution. "If that happens again I shall ask to have the room cleared. We respect the law here, oven if they don't on David's Island!
"Now, Mr. Walker," he continued, "what did you do for the dog."
"The doctor came twice a week," said the witness. "He fixed the bandages, We gave the dog atimulants."
"What for instance!"
"Well, whiskey."
"Good Lord!" groaned a disgusted voice among the soldier speciators. Lawyer Tierney bounced up again and glared fiercely into the crowd, but made no remarks on the interruption.

among the soldier speciators. Lawyer Tierney bounced up again and glared fiercely into the crowd, but made no remarks on the interruption.

The artist went on to say that the dog was a wondrous gentle beast. He never sought fights with other dogs, and in fact avoided a y meeting that might lead to a fight. From the artists' description it was to be inferred that the only motive that could possibly induce the built criter to approach a dog fight was a purely benevoint desire to act as peacemaker. Mr. Walker concluded by saying that the dog was "the most gentle he had ever owned." He was not asked how many dogs he had owned.

"Do you swear," asked Lawyer Power, in cross-examination, "that you never heard of his attacking other dogs?"

I do so swear, said the srtist, indignantly.

"If this trial serves no other purpose," said the lawyer, "it will teach you some new things about your own dog.

Mr. Power opened for the defence. He said:

"Your Honor and gentlemen of the jury, I am not going to talk long. I don't have to. I propose to show you that Sergeant Powell was justified in shooting the dog, and is only to blame in that he didn't shoot straighter and more often. Sergeant Thomas E. Powell of the United States Army will take the stand.

In response to a request that he tell the story of his experiences with the dog on Nov. 24 the Bergeant Powell—Yes, bit!

Mr. Tierney—Bit!

Sergeant Powell—Yes, bit!

Mr. Tierney—Bit!

Sergeant Powell—Yes, bit!

Mr. Tierney—Bit. And my pants was torn and I was dragged from my wheel.

The Sergeant Tool how he went back to Leland avenue, dismounted, and waited for the dog to get out of the way. After two minutes he started back and was intercepted by the dog, which rushed at him. He then shot the dog just as it was on the point of grabbing his leg.

Under cross-examination he restrides whithing revolver, It was a Colt's six-shooter, 38-calibre. He had carried six cartridges with him for practice. He carried the pistol in a bolster strapped to his wheel. He had fired five charges ou

Q.—Why did you save one cartridge ! A.—Hecause I never fire my last shot or burn my last match. That is what I have been taught.
Q.—You had no idea of shooting this dog! A.—

Q.—You had no idea or savenus.
I don't remember.
Q.—What did the dog do after it had attacked
you the first time and torn your pants I A.—I don't Didn't the dog follow you? A .- I don't Conf. Q.—If you were in a hurry to catch the 3:30 boat, why did you run away from the dog! What didn't you go straight ahead! A.—I wanted to avoid the dog.

Q.—Yet you didn't know where the dog was!

A.—No. als.

A.—No, sir. Q.—Not knowing where the dog was, you went back rather than forward. It is your natural

instinct to retreat, is it; to be afraid and back out! A.—No, sir, it is not; no such thing.

Q.—Are you sure that you didn't go back to Leland avenue to lie in wait for the dog! A.—I am.

Arthur Beaton testified that he had seen the dog attack the soldier just before the shot.

"How do you know it was the same dog!" asked Lawyer Tierney.

"Yes, the same dog," said the witness. "Do you think! am color-blind or dog-blind!"

The witness said that although he had seen the dog spring at Powell he was not looking at the moment Powell fired. The prosecution commented admiringly upon his stoicism in turning carelessly away when a friend was about to be mangled.

THEATRICAL AMUSEMENTS.

CHARLES PROBMAN'S COMPANT IN

A NEW PLAY AT THE EMPIRE.

The First Performance of "The Conquerors."

a France-Pressian War Brame by Paul M.

Petter—A Probably Final Firste of the Critical Independent Theatre—Stage Notes.

The Frobman stock company belonging to the Empire Theatre gets hardly a fair share of the time at that house. It was not permitted

carelessly away when a friend was accuted by mangled.

The defence tried hard to get in the testimony of Master Ralph Low, a neighbor of Artist Walker, as to fights between his actter dog and the Walker buil terrier pup. Most of the testimony was not admitted, because it related to events occuring after Nov. 24.

"Did you ever throw stones at Mr. Walker's dog i" he was asked in cross-examination.

"No, sir." Ralph looked scraphically innocent.

eni.
"You never tried to make the dogs fight?"
Ralph looked a little alarmed.
"No, sir," he said.

"No, sir," he said.
"It would make you feel very badly to see two
logs fight?" asked the lawyer.

"It would make you feel very badly to see two does fight!" asked the lawyer.

"Yes, sir."

"When your dog gets into a fight he always gets beaten, doesn't he!" continued the lawyer in a taunting tone.

"No, he don't. He's licked every—" said theyoung man, and stopped short.

"That's all," said Mr. Tierney. While this and other testimony as to the character of the dog was going on, the buil terrier was admitted to the room. His owner and his counsel played with him, pulled his ears and batted him around with the apparent intention to show his good nature. They took precious good care he shouldn't get within reach of the defence. Sergeant Jewell and his counsel consulted with one another and with one of the spectators. The spectator went out. In a few minutes he returned, followed by a sprv fox terrier with bells on his collar. The Walker dog's ears went up in a flash and in another second he was on his feet and headed for the fox terrier. Things promised well. Mr. Walker grabbed a hind leg just in time to bring the beast back with an inglorious sprawl. The fox terrier was hustled out into the snow by a Walker partisan. The court room was filled with gloom. Young Low almost wept.

"To me," said Mr. Power in summing up,

out into the snow by a Walker partisan. The court room was filled with gloom. Young Low almost west.

"To me," said Mr. Power in summing up, "the buildog seems to partake of the nature of the vampire and the rattlesnake. It is a beast, by nature vicious and likely to bite. I leave this case to you, gentlemen, with this one thought. Two characters have been assailed here this afternoon. One, a man who has served his country under the stars and stripes for eighteen years. The other, a quarreisome buil-terrier pup. Which will you uphold? Why, gentlemen, is there more than one side to such a question? I think not.

Mr. Tierney drew a frightful picture of the woods about New Rochelle, filled with excitable United States Army sergeonts shooting in every direction at imaginary causes of fright, He glorified man's friend and guardian, the dog. In conclusion he bitterly reviled the derendant for 'hovering around this innocent, playful net of tender children, like a hawk circling over its proy, watching for a chance to bring it down with a pot-shot.

After the jury had gone out Mr. Walker declared that the dog was so harmless that one could step on his tail and hear never a growl or a snap. He laid the dog out on the floor and invited Mr. Tierney to step on its tail. Mr. Tierney approached and lifted his foot. The dog lifted its head and looked him in the eye steadily.

"I don't think," said the lawyer, stepping

ily.
"I don't think," said the lawyer, stepping back, "that this is within the duty or dignity of counsel for the defence."
The jury was locked up at 1:45 o'clock, and it filed out at 3:15 o'clock with the verdict that Sergeant Powell was not guilty.

STRIFE IN THE HARLEM CLUB. Two Factions Making a Lively Fight Over the

Approaching Election. Charles B. Morris, a prominent member of in the coming election of officers as a result of an altereation in the clubhouse, at Lenox avenue and 123d street, on Tuesday last with Robrt Bonynge, a stenographer in Justice Smyth's court. The altercation was a lively incident in Every lively canvass bettewn the so-called 'regular" and the "independent" factions of the club. Many well-known Harlem men had aken s'des in the canvass. Bonynge favors the "independents," who want the rules amended so that members can enjoy a greater degree of personal liberty in the clubbouse. Morris.

intil the outbreak, was also an"independent. His encounter with Bonynge grew primarily man, offered to bet \$100 that Low would be ither first or second in the race for the Mayoralty. Bonynge, who is a friend of Mayor Van Wyck, accepted the wager. When Henry George died suddenly, however, Bonynge wrote to Morris saying that as far as he was concerned the bet was off. To this, he says, he received no reply, but after the election Morris taunted him with trying to back out of a square wager, and the two had words, which were renewed in anger in the card room last Tuesday night, when Morris charged Bonynge with playing improperly. Bonynge repudiated the insinuation and said that he would leave the table.

ble. The two men collided with violence an instant later, and her coinided with violence an instant, later, and, Bonynge, who is a lighter and smaller man, went home and a doctor poulticed and bandaged his left side, which had been badly bruised before the combatants were separated by their fellow clabmen. Bonynge said yesteriay that he was going to proceed against Morris legally for the assault.

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legally for the assault.

The flerceness of the canvass of the rival factions was intensified by the clash between the two independents. The "regulars" oppose the proposal of the "independents" to permit liquor to be served in all parts of the clubhouse at any time, or to let up upon any of the restraints put upon members by the conservative majority of the present Board of Trustees. These conservative members cite as a campaign argument against greater liberty of action a recent smoker held at the club in which a high-kicking vande-ville performer was introduced. They admit that the kicker wasn't particularly young, but declare that she displayed her lingerie recklessly. They insist, too, that the club will deteriorate if these shows are repeated or drinking is permitted on the parlor floor.

The oattle is being fought in the election of trustees. The regulars who oppose high-kicking and other high jinks have nominated William A. Martin, John A. Hither, Vice-President of the Shoe and Leather Bank, and William A. Lightpipe is also on the independent ticket with John B. Ketcham and Bradley L. Eaton, the latter having been nominated when Morris was withdrawn. There is no opposition to the candidacy of Jared S. Babcock for the Presidency, James J. Richards for the Teasurership and Walter L. Crow for the Secretaryship. There are 300 nembers in the club.

### WILL INDICT RATCLIFFE AGAIN. District Attorney Cables to His Alleged London

"The District Attorney directs me to say that he Grand Jury will be asked to indict Edward J. Rateliffe for perjury. The District Attorney has cabled to London to the woman known as Caroline Ravenbill, asking her to come to New York to appear as a witness against the actor, who may be charged with bigamy also."

This was the statement made yesterday by Assistant District Attorney Lloyd, who had read in yesterday's SUN the story of the English woman who says she is Ratcliffe's wife. Ratcliffe sat on his cot in a Tombs cell yes erday and denied again the story told by the

"It's dampably absurd to say that I married "It's damnably absurd to say that I married two women," said Actor Ratcliffe. "Alice De Lacy, whose father, Peter De Lacy, landed me here, is the only woman I ever married. Not satisfied with railroading me on this trumped-up charge of wife beating, the De Lacy crowd want to hang me on other false charges. I never was married in London to any woman named Caroline Havenhill, and never knew such a woman, I expect to get a new trial on the De Lacy charges. It's very strange that a woman should wait thirteen years to find a missing husband. There are many Ratcliffes in London, and I am not the one who married the Havenhill woman."

The argument on the application for a certificate of reasonable doubt will be continued today before Supreme Court Justice Dickey in Hrooklyn. Ratcliffe's counsel, Lawyer Towns, presented his side of the case on Monday. Today District Attorney Gardiner will go to Brooklyn to arrue against the granting of the certificate. If the court grants the application, then Ratcliffe can get out of the Tombs on bail. But if the application is denied Ratcliffe will have to serve out the scatence of six months imposed by Judge Newburger.

"In case Ratcliffe gets a new trial and is released on bail," said Assistant District Attorney Loyd, "he will be immediately rearrested on a charge of perjury. He swore on his trial that he had never been married in London to the woman known as Carrie. We will have this woman as a witness at the perjury trial if it is possible to get her here. Her testimony will not be necessary before the Grand Jury, for we have a witness to whom Ratcliffe told the story of his London marriage. This witness will repeat the story to the Grand Jury. wo women," said Actor Ratcliffe. "Alice De

### Chicago's Caual Hold-Up.

CHICAGO, Jan. 4.-Three men boarded a crowded Wentworth avenue electric car at Twenty-ninth street this morning at 7:30 o'clock, pushed their way through to where Conductor Edwin De Gross stood on the rear platform, and while two of them held his bands the other robbed him of all the money he had.

lime at that house. It was not permitted to begin this winter's season there until last night, when it did so in the presence of a brilliantly fashionable audience, The new drama enacted was "The Conquerors," by Paul M. Potter, inspired by one of Maupassant's short stories, but essentially original work of the American playwright. Its theme was the old, old one of lovers separated by the batreds and vicissitudes of war. But the story of their progress from hostility to wedlock was new and was very strange. The man was a Prussian officer, who went with the invading army into France. woman was a French resident of Dinan, whose family eastle was made the quarters for some of the enemy. The officer was a wanton destroyer of the household reasures of art and a brutal bully in his manner toward the ladies. He insulted the heroine so grossly that she angrily threw a glass of wine in his face. Ac tuated by a feeling of revenge, he entrapped her alone in a tavern, and told her that he was going to assault her outrageously, feloniously. She pleaded for pity, and then, his manliness at last saving him from the commission of the crime, he withdrew from the place. But there was a drunken, lustful landlord there to take up the deed where the other had relinquished it. This scoundrel seized and choked the girl, and, while she was unconscious from that first onslaught, the officer came back and killed her assail ant. When she regained consciousness, and saw the dead body of the landlord, she believed that he had lost his life in a vain defense of her against the successful bestiality of the officer. She became revengeful against the really innocent man and stabbed him, but the wound did not kill. They fell in love with each other After learning that she had not indeed been maltreated at all she saved him from being shot

for murdering the landlord, and they plighted

their troth to marry after the war should be

It will be seen that Mr. Potter's scheme had

been exceedingly bold, and he had very boldly worked it out. He had not lacked the courage to make of it a melodrama of the intensest kind, nor to relieve the tragic scenes and revelry by the German roysterers and a lot of concert hall women from Paris. The first act contained a gay carqusal by these parties in the castle, interrupted by the entrance of the proud and denunciatory young mistress, and leading up to an admirable climax in her frenzied response to the insult. In the second act the Parisian women danced recklessly before the episode of rapine and bloodshed. Again in the third act, back in a drawing room of the castle, they celobrated with feet and voices a supposed victory of the French, just prior to the stabbing of the hero by the girl. The fourth act contained the denouement of hate supplanted by lore. All this matter was treated carefully and well, in accordance with the usage at the Empire. The leading two parts were played with all possible effect by Mr. Faversham and Miss Allen. There was the rôle of an innkeener's jealous wife for Blanche Walsh and light comeny characters for Mr. Wheelock and Miss Conquest. Miss Robson was grotesquely funny as an ugly soubrette. Mrs. "Jack" Bloodgood made a debut as one of the comelier sirens, and so did Madeleine Mann, another stage recruit from "society." These two had little to do, but they looked well, and were not awkward. Mr. Crompton, Mr. Finney, Mr. Standing, and a half dozen others were in the cast, and there were plenty of trained pantominaists and choristers to help out the firs rate effects. Mr. Furst had composed excellent incidental music to play between acts, and Mr. Unit had painted a fine set of seenery. It was a handsomely artistle production.

Of the drama itself, it must be said that it surprised the audience with its candor. Something of shock, too, may have been conveyed by the exposition of the circumstantial evidence upon which the heroine mistakenly convicted the hero of an atrocious crime against her. But the interest was intense, and the only passage that miscarried—near the end of the play—can be easily reconstructed in a way to render it fully effective. It is a peculiar piece, melodramatic in the legitimate scnee of the word, and so bold an concert hall women from Paris. The first act contained a gay carqueal

The Criterion Independent Theatre fizzled out vesterday. The afternoon performance which it had advertised at Hoyt's was not given. The few persons who went there saw postponement had been caused by the "indisposition" of William E. Henley, who was to have taken a part in each of the three plays that had been prepared. The employees of the house seemed to know little and care less about the matter. Their interest had ended with the judicious collection of rent in advance. They were not engrossed a little bit in the Criterion enterprise of elevating the drama. Mr. Henley is noted for surely getting his pay, and it was surmised that he was "indisposed" in this instance to do without it. He was really hoarse but he had been so ever since the failure of his voice compelled him to cease acting regularly. It was said, too, that Elita Proctor Otis had been forced to withdraw her services, but that was not so, though there had been a strong probability of such a course. Judith Berolde, an excellent actress, remembered in Salvini's last American company, had been engaged for the heroine of Gluscepe Glacosa's "The Hights of the Soul," and had backed out. It was not easy to obtain a suitable soccessor, because the Criterion directors had nublished a great deal of abuse of our theatrical managers, whom they had described in a prospectus as illiterate, vulgar adventurers, and had thereby closed the sources from which to draw the best talent. Daniel Fronman, Augustin Daly, and Charles Frohman, who would otherwise have permitted their actors to engage in these matinées, positively forbade it under the circumstances. Miss Otis, who is playing in Brooklyn in "A Ward of France," accepted the part, but the Criterion reformers had abused the authors and managers of that play very viciously, and almost at the last moment it transpired that Miss Otis had not secured the consent of Klaw & Erlanger, her employers. That firm, however, did not interfere. The failure to hold the matinée may have been due to a scarcity of money in the treasury. At least one employee had brought suit for salary. The weekly journal called the Criterion is disregarded by New York, to which it was brought from St. Louis, and it is understood to have exhausted its capital. The grandiloquentity announced series of ten semi-monthly matinies "to demonstrate that literature has a place on the American stage," and that whatever is is wrong, begun and ended with a poor and futile performance of Ibsen's "John Gabriel Horkman" last November. It was not until yesterday that a second attempt proved abortive. The well-meaning but indiscreet conductors antagonized at the outset those important managers and influ nital reviewers who, until reviled and insulted, were inclined to help the occasional production of dramatits works unfit for ordinary use on our regularly. It was said, too, that Elita Proctor Otis had been forced to withdraw her services,

The first week of the new year is theatrically attractive to all kinds of people save those who never go to the playhouses. The supply of stage amusement is abundant. Selina Fetter and Milton Royle are enacting the heroine and the hero in "Captain Impudence" at the Grand Opera House. Nancy McIntosh and Virginia Earle are at the head of the cast in "The Circus Girl" at the Harlem Opera House. The Castle Square Opera Company is giving "Il Trovatore" in good stylb at the American. Elmer Grandin and Eva Montford are presenting "The Secret Enemy" at the Columbus. A largely new version of "Gayest Manhattan" is the morry and lively show at

est Manhatian" is the merry and lively show at the Star. "The Model" will be displaced by "Number Nine" to-morrow night at the Irving Place. Julia Mariewe has revived "As You Like It" at the Knickerbooker. The new plays of the week are "The Conqueerors" at the Empire, "The Salt of the Earth" at Wallack's and "The Governors" at Hoyts.

An additional ballet is shown in "The French Maid" at the Herald Square. New songs have been interjected in "The Tolophone Girl" at the Casino and in "The Ballet Girl" at the Manhatian. This is the last week of "The Maney Hanks" at the Garden and "The Royal Box" at the Fifth Avenue, Maude Adams is continuing in "The Little Minister" at the Garrick, May Irwin in "The Swell Miss Fitzwell" at the Bilou, and Andrew Mack in "An Irish Gentleman" at the Fourteenth Street. The other prolonged successes are "The Princess"

and the Butterdy" at the Loceum, "The White Heather" at the Academy of Music, and "The Highwayman" at the Broadway.

Seeke a for vaudeville diversion can find it at any hour from noon to midnight, the continuous abow houses covering that time with each day's programme. The most conspicuous contributors to these bills are Jeanne Franko and Leo Dervalto for Keith's, Nance O'Neil, McKee Rankin, Fred Hallen, and George Fuller Golden for Proctor's, and the Cohans and some toy terriers for Pastor's. At the Pleasure Palaco, which is also in the continuous list, so far as the programmes go, are Estelle Clayton, a condensed version of "Carmen," suns by capable vocalists, and Press Eddridge. Music hall performers at Koster & Bual's are Charmion, Calcedo, and Daisy Mayer. Specialists at Weber & Fields's are Lew Dockstader, Bestel Clayton, and Charles T. Aidridge. Sam T. Jack's Theatre, recently the Jonash, has a show of the sort for which its proprieter's name is trademark. At the Eden Music the marion-tettes are continued, and band concerts and cinematorraphe displays are daily side issues to the Wax works.

### LIVE TOPICS ABOUT TOWN.

Mme. Brazzi, who has been engaged to sing at the Metropolitan with the Damrosch-Ellis company, is an American contralto who has for several sea ons been singing with success in Her real name is Pratt and the Italian form of the name which she has devised fortunately gives no intimation of the place of her nativity, which is somewhere in the West, Last year when it was thought that a regular season at the Metropolitan would be given under the customary auspices she was engaged by Mautalents have been highly favorable, and they have come largely from London, where for sev eral years she was heard at Covent Garden Maurice Grau has recently engaged for his Wagner performances a German singer who has won renown in that theatre as well as in Hamburg and Bayreuth. This is Frau Schu mann-Heink, and as she has been commended by American critics as well, there is not the customary uncertainty as to her talents. The popular singers of the company at the Metropolitan are not overworking themselves in Europe this winter. Indeed, Mile. Calvé, who is appearing in Paris, just now is the only one of them in active work. She is singing for a compensation which is said to be less than one-tenth of the amount paid for her sorvices in this country. The salary paid to her for singing the heroine of Massenet's "Sapho" is said to be \$100 a night, and as the weekly average is not more than three performances it can readily be seen that she is appearing rather for glory than for the morely pecuniary reward of her efforts. Mme. Eamos will not be heard until next spring and will devote her time until the opening of the Covent Garden season to the study of some of the Wagnerian rolles. M. Maurel, the de Reszkes, along with Mme. Litvinne will go to St. Petersburg and sing there at the Theatre Marle, which is the royal theatre of the Itussian capital. They will sing the trilogy and other operas in German, as during the time in which they are to be heard there all acting and singing in the Russian language is forbidden. This is the season of fasting and only performances in foreign languages are allowed during the four weeks preceding Easter. mann-Heink, and as she has been comme

The permanent circus has had a trial here and its projector announces that the experiment was a failure. Now that the trial has been be allowed to drop for a while and the various daring impresarios who have been contemplating such a scheme on paper may confine their attention to the roof gardens and Turkish baths which have been an invaluable feature of the great establishments contemplated by them on paper. New York does not need a permanent circus, probably because its circus interest is intensive and not extensive and exhausts itself completely every spring, with the six weeks' spectacle at the Madison Square Garden. The foreign cities which support circuses have no such attendance at any time during the year, and the average circus performance in Paris, Berlin or Vienna would arouse only the profound contempt of the average American youngster. They are generally quite unexciting, solite and meagre entertainments that contain nothing in common with the rampant, overwhelming nature of a New York performance of the same character. That they cannot be supported on another scale was shown plainly enough several years ago when the Paris Hippodrome was discontinued because it had not for several years paid the expenses of its maintenance. But there is a prespect that something as dangerous as the "permanent circus" may soon engage the attention of enterprising New York managers. The American "Moulin Rouge," which, so far as one can tell, is later to indicate a variety show and dancing for the spectators, is the latest substitute that has appeared. Already it swims before the eyes of the progressive theatre builders, organizers and renters. Maybe it will survive as a healthy substitute for the "permanent circus." weeks' speciacle at the Madison Square Garden. meagre enterlainments that contain nothing in common with the rampant, overwhelming nature of a New York performance of the same character. That they cannot be supported on another scale was shown plainly enough several years ago when the Paris Hippodrome was discontinued because it had not for several years ago when the Paris Hippodrome was discontinued because it had not for several years ago when the Paris Hippodrome was discontinued because it had not for several years paid the expenses of its maintenance. But there is a urospect that something as dangerous as the "permanent circus" may soon engage the attention of enterprising New York managers. The American "Moulin Rouge," which, so far as one can tell, is later to indicate a variety show and dancing for the spectators, is the latest substitute that has appeared. Already it swins before the eyes of the progressive theatre builders, organizers and renters. Maybe it will survive as a healthy substitute for the "permanent circus."

A young man who cither was or was not a naval officer—the relators of the story do not agree on this point—became so elated by the punch served at the navy yard ball on New Year's eve that he beguiled a pretty Brooklyn girl under a very small sprig of mistletoe and attempted by force to make her pay the penalty. It is officially stated that the punch was ordinary claret punch, almost as harmless as lemonade, but different in color. It is possible that the explanation of the young man's presently late in the evening which is officially lower as "spiking the punch". This is a sure to the church as a purely business proposition, and immediately after my mother's death severed his connection with the clurch as far any religious relation existed. He desired that as hittle fuss be made over his death

closed doors, and a placard which said that a sumption may be found in a trick which sumption may be found in a trick which marines, have been occasionally credited with playing late in the evening which is officially known as "spiking the punch." This is sometimes done when the punch runs low and the entertainment is almost over by pouring in rum or other strong liquor in large quantities, and the result has been quick. Such liberties with the punch are usually credited to the marines, who are believed in the service to have no troubles of their own. A man who has enjoyed a navy yard punch said yesterday that it was very mild, and as compared with the famous regents punch of the Fort Orange Club in Albany it was as water. This latter punch has no connection with the State Board of Regents' though the victims of it admit that it is educational. According to popular report it is prepared effect a formula known only in the club and allowed to stand for at least six months before it is served. The last record on this punch was made by a wine agent who drank four glasses of it and went to sleep. One glass of it will make an ordinary man think that be owns the Capitol building, and another glass usually sends him off to try to put his newly acquired possession into his inside pocket. In contarison with this punch that served at the navy yard is merely pink tea.

A janitor of an uplown apartment house re-

Anthony Hope went to a dinner in Mott street given in his honor on New Year's Day. and ate preserves, bird's nests, sour fish, fried rice bird, sweet fish, fried pigeon, and unidentined things, drank rice wine, and presumably thanked his hosts and kept his private opinion of the feast to himself. The tea served at this of the feast to himself. The tea served at this particular restaurant is good, and there are a few of its Chinese dishes which are not unpleasant, but aside from the novelty of it a Chinese dinner has little to recommend it to Europeans. Within the past four or five years the proprietors of these places have discovered that it paid to cater to the foreign devils, and they have been so anxious to serve dinners to them that they have attempted to Americanize their cooking. One of these restaurants bought a large quantity of blue and white teapots from a department store and the proprietor disposes of them at 200 per cent, profit to the foreign devils who come to eat his dinner and carry away a souvenir. Perhaps Mr. Hope got one of them.

Most of the applicants for the directorship of the Opéra Comique in Paris are more or less well known, and Victor Capoul, who has returned to Paris to press his claims, has for many years been a familiar singer in New York, not only in grand opera, but also in lighter works. He was last seen on the stage here at the close of the opera season one year ago, when he lined up with the rest of the principals in the soldiers chorus from "Faust." He has not been a singer for some time. Victor Maurel is said to be an earnest applicant for the place, as the loss of his voice has made it necessary for him to take a secondary position in the operatic world. He has long been anxious to manage a theatre, and his recent experiences as the director of his own tour have not been fortunate. He started with a company to sing "Don Glovanni," through France, but the tour suddenly came to an end at Pheims. Albert Carre, who is looked upon as the most likely successor to Carvalho, is the partner of Forel, Mmc. Rejane's husband. er works. He was last seen on the stage here at

is a scientific fact; that belief in (so called) miracles are hallucinations of the brain, and never had the slightest existence in fact; that the chief characteristics of what is known as the Word of God' are injustice, cruelty, untruthfulness, and obscenity; that the effect of orthodox Christian teachings is to encourage ignorance, selfishness, acrimoniousness, intolerance, wrong, and mental slavery; that Christianity, so called, is not the religion of Christ; that it supplants ethical culture and true morality with meaningless theology and unbelievable dogmas; that it puts an unknown (and probably inknowable) imaginary being in the place of nature: that it gives a name and a personality to evil, an equally unknown and imaginary being; that it so works upon the credulity of its adherents as to invite in them a fear of (that most horrible of doctrines) eternal punishment: I say, believing all this, I, in all kindness, request that over my remains there be no religious services of any kind, nature, or description

"I also request that my body be cremated at Fresh Pond or other crematory, and that my ashes be left there.

"If, as has been said, 'the highest tribute to the memory of our dead consists in obedience to their wishes,' may I not trustingly hope that my children will pay the tribute to my memory of seeing that the above clearly expressed wishes are carried out, and that they will resolutely

are carried out, and that they will resolutely and persistently resist any effort that may be made on the part of any of my plous relatives or friends to thwart my wishes."

Mr. Taber's will wais filed for probate yesterday, I. disposes of about a million dollars. Mr. Taber was a widower at his death, at 73 years of age, on Dec. 24 last. He died at 42 West Twelfth street. He began business in this city in the cotton trade in 1840, and at the time of his death was a member of the firm of Henry M. Taber & Co. He was President of the New York Cremation Society, and a member of the Cotton Exchange, the Metropolitan Museum of Art, the Museum of Natural History, the Academy of Design, the New England Society, the American Geographical Society, the Society for Ethical Culture, and the Union L ague Club. He was President of the Northern Dispensary, was on the board of the Presbyterian Hosnital, and was in the directories of a number of banks, insurance companies, and other corporations.

on the board of the Presbyterian Hospital, and was in the directories of a number of banks, insurance companies, and other corporations. He was one of the organizers of the Loyal League of war times.

Two children survive Mr. Taber—Mary, who lived with him, and Sydney Richmond Taber, who lives at Lake Forest, Ill. Another son, William P. Taber, died on Oct. 30 last. The will was executed on Oct. 25, 1894, and there are two codicils executed April 13, 1894, and Nov. 27, 1897. The daughter Mary is made executrix, and she has permission to use the house and its contents for life. Mr. Taber sets aside \$50,000 for his executrix to use in continuing his business of Henry M. Taber & Co., and the rest of his extate is to be divided between his two children.

The funeral was held at the family residence, 42 West Twelfith street, on Dec. 27. The services were conducted by Prof. Felix Adler of the Ethical Culture Society and conformed in every respect to the instructions in the will and with the repeated injunctions of Mr. Taber to his children. In a brief address Prof. Adler spoke of Mr. Taber's life as one worthy of enullation. He described him as a man of tolerant spirit, benevolent inclinations, indubitable honesty, and commendable altruism. Two hymns, such as are sung at the meetings of the Society for Ethical Culture, were

DANCE ATTHE METROPOLITAN CLUB. A Cotilion with Splendid Favors Was Led by

Elisha Dyer, Jr. The dance given last night at the Metropolitan Club annex was preceded by dinner parties at the residences of some of the hostesses. Mrs. W. Starr Miller and Mrs. Almeric Hugh Paget were among the entertainers. The matrons who gave the dance, besides Mrs. Miller and Mrs. Paget, are Mrs. M. Orme Wilson, Mrs. Cornelius Vanderbilt, Jr., Mrs. Stuyvesant Fish. Mrs. Lloyd Bryce, Mrs. John Jacob Astor, Mrs. Harry Payne Whitney, Mrs. Ogden Mills, Mrs. Peter Cooper Hewitt, Mrs. Francis Key Pendleton and Mrs. Henry Sloane. The large room usually used as a indies' dining room, in the annex, was

drank four glasses of the dance and ordinary man think that be owns the Capitol building, and another glass usually sends him off to try to put his newly acquired possession into his inside pocket. In comparison with this punch that served at the mavy yard is merely pink tea.

A janitor of an uptown apartment house received a request from an old tenant last week which stargered him. This woman has a daughter whose engagement has just been announced and whose marriage will occur in February. In accordance with the regulations laid down by the owner of the house the steam is turned off every night at 11:30 and the janitor says that no protest has ever been made. Mrs. Blank, after remembering him very handsomely on Christmas, came down to his quarters one day last week and said:

"My daughter is engaged and the young man thom she is to marry will be here for a week. I want to ask you not to shut off the steam in our spartment during the next week until 1:30 in the morning."

The janitor has been hesitating between his duty to the owner of the house and his desire to please Mrs. Blank and Mrs. Blank's prospective son-fin-law, but he says that the latter must be something of a novice.

Anthony Hope went to a dinner in Mott

ORANGE, N. J., Jan. 4.-Richard Hopkins took to the Millburn Township Committee last night check for \$21.36 from a Brooklyn savings bank. He said it represented the residue of the savings of Catharine Collins, an inmate of the township poor farm at Oak Ridge. Mrs. Collins wanted to give the money to the township, but asked that \$5 of the amount be used to purchase a grave for her son in \$7, Rose's Catholic Cemetery. It is her request that she be buried in the same grave. same grave.

Mrs. Collins, who is 65 years old, has been an inmate of the poor farm for seven years. The money was accepted by the committee and the grave was ordered to be purchased.

Chickering Hail Concert. The third Seidl concert given by the Messra. Chickering in their pleasant hall was very fully

attended yesterday afternoon, and the music was as charming in selection as it was admirably interpreted. Dvorak's interesting overture. "In der Natur," was first put upon the programme, which had for an ending a comparagramme, which had for an tively long and generous excerpt from "Die Meistersinger." Between these the most notable composition was Xaver Scharwenka's concerto for piano and orchestra, onus 32, a work that holds its own even among this high class of composition, of which nearly every great master has, given us at least one example. The second movement, a scherze, is particularly pleasing, but indeed the whole concerto is full of attractive melody, the form is symmetrical, the harmonies are good, without any appearance of straining after original themes or myarre effects, and the orchestration is agreeable, it not out of the ordinary. Scharwenka played the work with that facility combined with a tertain pedantic exactness to which we are accustomed in his performances. His next solo was Lisable "Ricordanza," and helig recalled, Scharwenka played an encore of much longer duration, though of lees beauty, than the number upon the bill.

A set of short piaces for string orchestra was especially well liked by the audience. tively long and generous excerpt from

NEEDS OF CHICAGO UNIVERSITY.

President Harper Pleads for a Commons Beaths Due to Lack of Good Food.

CHICAGO, Jan. 4 .- " Of the five deaths which have occurred in five years at the university three are directly traceable to starvation," said President William R. Harper at the twentyfirst convocation of the University of Chicago in the Auditorium last evening. The declaration was made in the President's quarterly address, and was modified by the explanation that three of the deaths were due to insufficient nutrition, that in turn being the result of the poor food supplied in the district surrounding the university. The statement was succeeded by a plea for money to endow a great university commons which should supply nutritious food to the students, that their bodies might be as well as their minds, and that "fewer intellectual dyspeptics should be turned out upon the world."

statement, which divided attention with the address upon "Public Leadership," delivered by James H. Eckels, were the affiliation of the Hush Medical College, the gift of \$200,000 by John D. Rockefeller to supply a deficiency of that amount in the financial budget for the coming year, the establishment of the College of Commerce and Politics, to give a practical business education, and the provision for military training. The affiliation of Rush College marks th

merging of one of the pioneer and medical institutions of the West in the pervading identity of the newer university. It brings with it something of a realization of the dream for a medical department at the university in which its new biological laboratories are expected to be of great service.

#### MARINE INTELLIGENCE.

MINIATURE ALMANAC-THIS DAY. Sun rises.... 7 24 (Sun sets.. 4 48 | Moon sets.. 5 40 HIGH WATER—THIS DAY. Sandy Hook. 5 41 (Gov.lst'd. 6 13 | Hell Gate.. 8 18

Arrived-Tuesday, Jan. 4. 8s Veendam, Stepger, Rotterdam Dcc. 23 and Bouogne 24th. Ss Anrania, McKay, Liverpool Dec. 25 and Queens town 26th.

Sa Britannie, Bolton, Hoelva.

Sa Mexico, Oyarbide, Vera Cruz.

Sa Mexico, Oyarbide, Vera Cruz.

Sa Bergon, Olsen, Tilley's Island.

Sa Biellarden, Davidson, Buenos Ayres.

Sa Arkadia, Lloyd, Mayagurz.

Sa Arkadia, Lloyd, Mayagurz.

Sa Arkadia, Horris, Savanilla.

Sa Tyr. Hanson, Parry.

Sa Sobrasene, Murray, Manaos.

Sa Yorktown, Dole, Norfolk.

Bark Carlo, Stefan, Alexandrette.

[For later arrivals see First Page.]

ABRIVED OUT. Sa Pennsylvania, from New York, at Hamburg.

Ss Edam, from New York for Amsterdam, passed SAULED FROM FOREIGN PORTS. Sa Augusie Victoria, from Genoa for New York, Sa Gera, from Bremen for New York. Sa Lahn, from Bremen for New York.

SAILAD FROM LONESTIC POSTS Sa City of Augusta, from Savannah for New York. Sa El Sol, from New Orleans for New York. OUTGOING STEAMSHIPS.

Sail To Ing.
Mails Class.
St. Louis, Southampton. 7 00 A M
Germanic, Liverpool 4 00 A M
Westernland, Aniwerp. 10 00 A M Sardintan, Glasgow... El Paso, New Orleans. 8 00 P M New York, St. Domingo ... 1 00 P M Arkadia, Porto Eleo ... 2 00 P M INCOMING STEAMSHIPS. Charlton.

Hamburg Bremen Swansea Hamburg Shields Christiana Queen Margaret Addington Venezuela Algonquin Jacksonville Due Saturday, Jan. 5 Nassati Due Sunday, Jan. 9

New Orleans
andan, Jan. 10.
Antwerp
Gibraltar
London
Havana
St. Lucia Business Rotices.

HOWARD & CO., 264 Fifth avenue, New York.

MARRIED. GACNUTT-"GREY. -On Tuesday, Jan. 4, 1898, at the residence of the I ride, b East 35th at , by the

tus MacNutt of Washington, D. C., to Margaret Mew Publications.

Anson G. Baught.

Van Cortlandt, daughter of the late John D. Potter, Jennetta M. Jones of Milton, Del., and

BVRSE -On Tuesday morning, Jan. 4, at his restdence, 107 West 11th st., Charles H., son of the late John and Mary Byrn?. Funeral from St. Francis Xavier's Church, West

10th st., on Thursday at 10:30 A. M CROUCES. -On Monday evening, after a linguing Illness, Harriet Anne, second daughter of George and the late Harriet Elizabeth Crouch. funeral services at her tate residence, 110 West 77th at , on Thursday afternoon at 2 o'clock.

BODGE .- Suddenly, on Jan. 3, 1898, Edward L. Dotge, M. D., in the 30th year of his age. Funeral services will be held at his residence, 577 Clausen av., Brooklyn, on Wednesday evening at So'clock. Springfield, Mass., and Springfield, 111. papers idease copy.

HOLHERTOX. — Suddenly, on Tucaday evening,
Jan. 4, at Hackersack, N. J., Wakeman Hol-

terion.
office of funeral hereafter.

JONES.—At Occanus, Long Island, on Monday, Jan.
3, 1898, James Dana Jones, in the 48th year of his age
Funeral private. Interment at Englewood, N. J.

McXULTY .- At her residence, 234 Nott av., Long Island City, Margaret McNulty, wife of the late Robert McNulty, on Sunday, Jan. 2, 1898. Funeral on Wednesday morning from St. Mary's Church, 5th st. and Vernon av., at 9:30 o'clock. WHITENG. -At Astoria, L. L. on Monday, Jan. B. Eliza L., daughter of the late Rev. Marshall Whiting

Funeral services at her late residence, 130 Temple st., on Thursday, 6th Inst., at 11 o'clock A. M. Interment at Woodlawn.

Presh Pand Crematery open every day in the year for business and visitors. - C. S. CREMATION CO., 62 East Houston st., New York.

### Special Motices.

SEEP out the cold. Use Roebuck's Weather Strips on your doors and windows. For sale or applied by ROEBUCK, 172 Fulton st., New York, and I4th at and Hamilton av., Brooklyn. BEEP looking young and save your hair, its color and leauty, with PARKER'S HAIR SALSAM. HINDERCORNS, the best cure for corns. 15 cts.

# Religious Notices.

## D. L. MOODY.

CARNEGIE MUSIC HALL.
January D to 16.
Tickets at American Tract Society, 10 East 23d st.
P. H. Revell's Presisterian building, and at the various offices of the Young Men's Christian Association

Hem Publications.

# Dodd, Mead & Co. Retail Department.

After the active book buying of December there comes a lull. However, January will not be dull. To make our inventory of February 1st contain as few books as possible we extend through the month

# ANNUAL CLEARANCE SALE

In it are offered all our finelybound Standard Sets, Miscellaneous, Books of the Day, and many valuable Autograph Manuscripts and Rare Books-every volume that we have, in fact, save certain Rare Books.

Our clearance prices are extremely low. At all times we sell books at from one-fifth to one-fourth less than publishers' prices. For January substantial reductions from even these prevail.

Those who desire books for use and ownership may now have the finest sets and volumes at (pardon the word) bargain prices.

We especially advise lovers of Rare Books to follow our announcements for the month, as there will be sold at low prices many volumes that they may not be able to find again in

# Dodd, Mead & Co.

25°C EACH.—Novels of J. F. Smith, Pherce Egal., Dumas, Gaborian, Corelli, Daudet, Du Bolsgober, Dumas, Gaborian, Cobb. Hugo. PRATT, 161 6th av.

A Clean Family Journal Charming Colonial Picture, 10 x 16 Painted by PERCY MORAN Entitled "When Grandmother Was Young" In this Week's Issue. The Best Colored Pictures The Best Short Story Tellers The Best Black and aites The Best Versifiers The Best Hum The Best Printed The Best Made Up The Best and Cleanest Family Journal of To-day. Every week four beautiful colored pages, twenty black and white pages with illustrations. All News-stands. Nothing Cheap But the Price.